

Government of the District of Columbia
ZONING COMMISSION



ZONING COMMISSION ORDER NO. 297*
CASE NO. 78-21

OCTOBER 11, 1979

Pursuant to notice, a public hearing of the District of Columbia Zoning Commission was held on January 29, April 30, June 4, and August 6, 1979. At this hearing session the Zoning Commission considered an application from the International Association of Machinists for approval of a one-step Planned Unit Development.

1. This application is for approval of a One-Step Planned Unit Development under Sub-section 7501.6 of the Zoning Regulations, which was in effect between October 23, 1977 and February 15, 1979. This application was filed on September 1, 1978 and according to Paragraph 7501.92 of the present regulations, has been considered under the Regulations in effect on that date.
2. The request is for construction of a ten story office and retail structure adjacent to the existing International Association of Machinists building at the corner of Connecticut Avenue and N Streets, N.W., including Lots 800, 801 and 8-12 in square 138. The proposed structure will have a height of 118 feet, a gross floor area of approximately 228,464 square feet, which includes two floors of retail space, one of which is below grade. The total area proposed for retail use is approximately 54,374 square feet. The existing IAM building has approximately 9,624 square feet of retail space on the ground floor. The FAR for the entire PUD site including the existing IAM building is 7.0 and the overall total gross floor area is approximately 352,933 square feet. A 200 car commercial parking lot currently exists north of the IAM Building.
3. The site is currently zoned C-3-B which permits a high bulk major business and employment center for office and retail commercial uses, to a maximum floor area ratio of 6.5 and a maximum height of ninety feet. Additional height and density may be permitted by the Zoning Commission under the Planned Unit Development process.

*This is a corrected copy of Page 1, including six words which were inadvertantly left out of Finding of Fact No. 2 on the original Page 1.

4. This application does not request a change in the existing C-3-B zoning. It is a request for an increase in the permissible height from 90 feet to 118 feet and the permissible F.A.R. from 6.5 to 7.0. The additional twenty-eight foot height and 0.5 F.A.R. permits a building with less ground coverage and makes it possible to develop significant usable public pedestrian amenities, including a two-story arcade, paving, a mini-park, and implementation of special design on 19th Street, N.W.
5. The subject square is located in the northern portion of the central employment area. Land uses in this section of the City are predominantly commercial. Connecticut Avenue is a major retail center and contains a wide range of specialty shops and retail services. To the west of the subject site is an SP office building at 1901 N Street, N.W., a series of row houses used as office space. Another SP office building at the corner of 19th Street and Sunderland Place and a 130 foot office building at 1333 New Hampshire Avenue, N.W. To the east of the site across Connecticut Avenue is the National Rural Electrical Utilities Cooperative building at 1800 Massachusetts Avenue, N.W. The south side of N Street between Connecticut Avenue and 19th Street includes a ten-story commercial building and a group of townhouses devoted to office uses. To the north of the site, abutting the property, is the existing Dupont Circle Building, which is 130 feet high.
6. Square 138 has been zoned C-3-B since the adoption of the present Zoning Regulations in 1958. Zoning changes in the immediate vicinity of this site include the final approval of a PUD and related zone change from SP to C-3-B in Square 115, to the west of the site and the extension of the C-4 District westward from 18th Street to 19th Street south of M Street. The Zoning Commission recently rezoned various properties in the Dupont Circle area in Case No. 76-24. Neither OPD nor the Dupont Coalition proposed any change in zoning for the property in Square 138.
7. The subject site has excellent transit service. The Dupont Metrorail station is within 100 feet of the site and metrobus routes provide additional service past the site on Connecticut Avenue and 19th Street, N.W. Automobile access to the site is excellent because of the wide thoroughfares and the variety of traffic lanes that encompass the area.

8. The property involved in the PUD application is located within and adjacent to the southern boundary of the Dupont Circle Historic District. In reviewing this application, special consideration has been given to this fact. The Zoning Commission has taken into account the height and bulk of surrounding buildings, The implementation of the special treatment of 19th Street, the urban park, the proposed height of 118 feet and its relation to the adjacent buildings, and finds that the building is in harmony, both architecturally and in height and bulk with the surrounding neighborhood.
9. The applicant's planning consultant testified as to the project's conformance with the D.C. Goals and Policies Act the Draft Ward 2 Land Use Plans, and the Washington Streetscape Study.
10. The applicant's traffic consultant analyzed the traffic conditions in the area, transit service, and parking. He found that traffic data on the streets that focus on Dupont Circle show an overall stability of volume and adequate traffic capacity. The D.C. Department of Transportation concurred in this finding. In addition, he found that the subject site has excellent transit service and that the proposed 226 parking spaces in the PUD is necessary as parking is substandard in the area. The Commission concurs in those findings.
11. A representative of the applicant, the International Association of Machinists, testified as to the IAM's long term ownership and location in the area dating back to 1954 and to it's need for 120 parking spaces in the new building. The organization has a number of out of town members who visit the headquarters building and many employees are required to use their cars for work trips.
12. The developer of the site testified as to the need for adequate parking at the new building. He is also the developer at 1100 Connecticut Avenue, which is situated on the Farragut Metro station, and he described the hardships encountered in leasing a building without adequate parking. Retail shops will be provided that will be geared in price range to the neighborhood and occupants of the building.

13. The architect of the project thoroughly reviewed the applicant's compliance with Section 7501.6 of the Zoning Regulations, and the special treatment of 19th Street frontage including the mini-park, designed by Hideo Sasaki, an internationally known landscape architect. A model was presented which showed the careful attention given to the design of the building, and in particular the 118 foot height of the new building as it relates to the adjacent buildings. The cornice line of the new building meets the setback line of the Dupont Circle Building and lines up with the coping of the existing Machinists building. The Commission finds that the proposed height of 118 feet will be completely in keeping with the scale of the adjacent buildings.
14. The Office of Planning and Development, by memorandum dated January 24, 1979 and May 31, 1979 and by testimony presented at the public hearings, reported that the application provides substantial public amenities in the form of a mini-park, pedestrian connection, and arcades. The OPD reported that the application is also consistent with public policy for the treatment of 19th Street. The OPD reported that there would be no adverse environmental impacts. The Commission concurs in the findings of the OPD. The OPD recommended that the project be approved in accordance with certain standards, guidelines, and conditions.
15. The Fire Department via report of the Office of Planning and Development dated May 31, 1979 and by testimony presented at the public hearing indicated that the existing Dupont Circle Building has serious fire safety problems and needs remedial action. Assistant Chief Kitt stated that he did not see how such a condition would internally be affected by the construction of the adjacent new structure.
16. The Department of Transportation via report of the Office of Planning and Development, dated May 31, 1979, and by testimony presented at the hearing concluded that the proposed layout of the project was good in terms of traffic and circulation. Parking supply was the only concern of the Department. Testimony was given which stated that the size of the proposed garage would be roughly equivalent to the impact of the existing parking lot. It was also stated that the number of parking spaces included in the PUD should be viewed as the maximum for the entire square. The Department analyzed the project based upon a seventy-five percent modal split and an occupancy rate of two persons per vehicle, and concluded that no adverse impacts would occur.

17. The Department of Environmental Services via report of the Office of Planning and Development, dated May 31, 1979, concluded that the water distribution system was adequate for the proposed PUD and that no significant long term impacts on storm water control, air quality, noise levels or solid waste disposal would result if the project were to be approved.
18. The Corporation Counsel by memorandum, dated August 18, 1979, and testimony presented at the hearing stated that D.C. Law 2-144, the Historic Landmark and Historic District Protection Act of 1979 would control the design of the proposed building. The Historic Preservation Review Board could dictate a more restrictive height and density than existing zoning would allow. The Corporation Counsel representative also stated that procedural and jurisdictional problems, vis-a-vis the Zoning Commission and the Review Board, need to be worked out.
19. The applicant has consulted and met with Advisory Neighborhood Commission - 2B, in the course of the development of this project. Advisory Neighborhood Commission - 2B, by letter dated April 30, 1979, supported the application as revised. A representative from the ANC appeared at the hearing and confirmed that position.
20. A representative appeared on behalf of the Dupont Circle Citizens Association and was allowed to appear as a party in opposition. The representative stated that the applicant had requested to appear at the Dupont Citizens' meetings, but was not invited to appear. No resolution or record of special objections by the Dupont Circle Citizens Association at a duly called meeting was presented at the public hearing. The spokesperson appearing raised the objections that the F.A.R limit to the entire Square is being exceeded and that the proposed urban park cannot properly function as an amenity as access thereto is difficult, and it impinges on public space on 19th Street. The Commission finds that these objections are not well founded, that the 7.0 F.A.R. is suitable for the site, that the park will be open and inviting, and that the PUD will serve to implement the 19th Street plan.
21. The proposed action was referred to the National Capital Planning Commission under the terms of the District of Columbia Self-Government and Governmental Reorganization Act and the NCPC reported that the Planned Unit Development with the Guidelines, Standards and Conditions as proposed by the Zoning Commission will not have an adverse impact on the interests or functions of the Federal Establishment in the National Capital.

CONCLUSION OF LAW

1. The Planned Unit Development process is an appropriate means of controlling development of the subject site.
2. Approval of this One-Step PUD application is appropriate, because it is generally consistent with the present character of the area and because it would encourage stability of the area.
3. The Commission takes note of the position of Advisory Neighborhood Commission - 2B, and in its decision has accorded to the ANC the "great weight" to which it is entitled.
4. The approval of the application would promote orderly development in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Map of the District of Columbia.
5. The proposed application can be approved with conditions which would insure that development would not have an adverse effect on the surrounding area.

DECISION

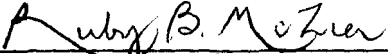
In consideration of the Findings of Fact and Conclusions of Law herein, the Commission hereby orders approval of the Planned Unit Development for Lots 800, 801, and 8-12 in Square 138, subject to the following guidelines, conditions, and standards:

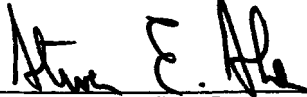
1. There shall be no change of zoning in this planned unit development.
2. The buildings in the planned unit development may be used for any use permitted in the C-3-B District.
3. The planned unit development shall be developed in accordance with plans submitted to the Zoning Commission prepared by Vlastimil Koubek, dated August 6, 1979, marked as Exhibits No. 63 and 66-B of the record, except as such plans may be modified to conform to the standards listed below.
4. The overall floor area ratio for the project, including existing buildings shall not exceed 7.0, exclusive of roof structures.

5. The maximum gross floor area for the overall planned unit development shall not exceed 352,933 square feet. The maximum gross floor area devoted to retail space shall not exceed 48,000 square feet.
6. The height of the proposed building shall not exceed 118 feet, provided however, that a roof structure for the building may be erected to a height not to exceed 18'6" above the roof upon which it is located.
7. Parking spaces shall be provided at a maximum of 220 in the proposed structure and 6 in the existing structure. Access to parking spaces shall be as shown on Drawing No. 10, dated August 8, 1979, marked as Exhibit No. 66-B of the record.
8. The roof structure of the proposed building shall comply with the requirements of Section 3308 and Paragraph 5201.24 of the Zoning Regulations. The FAR of the proposed roof structure shall not exceed 0.37.
9. No alteration to the existing IAM building shall be permitted, except as shown on the approved plans.
10. Five loading berths shall be provided as shown on Exhibit No. 66-B and Drawing No. 9 of Exhibit No. 63. All loading facilities shall conform to the requirements of Article 73 of the Zoning Regulations for the C-3-B District.
11. The mini-park treatment of public and private spaces, landscaping and exterior arcades shall be provided in accordance with the approved plans. (Sheets 10 and 17).
12. Pedestrian access to the interior retail spaces shall be provided in accordance with the approved plans. (Sheet 10).
13. The interior retail arcade shall be designed in accordance with the approved plans (Sheet 10).
14. The exterior elevations of the proposed building shall be finished in white marble to match the facade of the existing IAM building.

15. No building permit shall be issued until the applicant has recorded a covenant in the land records of the District of Columbia, between the owner and the District of Columbia, satisfactory to the Corporation Counsel and the Zoning Administrator, which covenant shall bind the applicant and all successors in title to construct on and use the property only in accordance with the adopted orders, or amendments thereof, of the Zoning Commission.

Vote of the Commission taken at the public meeting held on September 13, 1979: 3-0 (Commissioners Theodore F. Mariani, Walter B. Lewis, and George M. White to APPROVE with Conditions - Commissioner Ruby B. McZier not voting and Commissioner John G. Parsons not present, not voting).


RUBY B. McZier
Chairperson
Zoning Commission


STEVEN E. SHER
Executive Director
Zoning Secretariat

This order was adopted by the Zoning Commission at its public meeting on October 11, 1979 by a vote of 3-0 (Commissioners Walter B. Lewis, Theodore F. Mariani and Ruby B. McZier, to adopt with conditions - Commissioner John G. Parsons, not voting and Commissioner George M. White, not present not voting).

In accordance with Section 2.61 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, this order is effective on _____.